IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.29638-M of 2007
Date of Decision:- 10.09.2007

EHC Satpal Singh @
Satya Pal Singh Sharma ....Petitioner(s)

through
Mr.Gorakh Nath, Advocate.

vs.

State of Haryana. ....Respondent(s)

through
Mr.Tarun Aggarwal, Sr.DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is to release the petitioner on regular bail in F.I.R.No.273 dated 27.12.2006 under Sections 409/120-B IPC, registered at Police Station, Sector 31, Faridabad.

As per the allegations, the petitioner who was working as PHC in the Haryana Polie, allegedly sold 700 empty cartridges to one Jamuna Parsad while the petitioner was In-Charge of the Ammunition Store in Faridabad.

It further appears that in respect of the same occurrence, another F.I.R.No.298 dated 27.12.2006 under Sections 409,411 IPC stands registered against the petitioner and his co-accused at Police Station, Loha Mandi District Agra (U.P.).

As is apparent from Annexures P-12 to P-14, the petitioner has

already been ordered to be released on bail by the Additional Chief Judicial Magistrate, Agra in the above-stated case.

The petitioner's co-accused, namely, Jamuna Parsad has also been released on regular bail by this Court vide order dated May 07, 2007 passed in Crl.Misc.No.22149-M of 2007 (Annexure P-4).

The investigation has already been completed and challan has been presented.

In this view of the matter and particularly when the case is based upon the official record, there is no likelihood of tampering with the evidence by the petitioner.

After hearing learned counsel for the parties and keeping in view the total period spent by the petitioner in custody and the fact that his co-accused has already been released on bail by this Court, this petition is allowed. The petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate, Faridabad.

September 10, 2007 **(SURYA KANT)**
poonam **JUDGE**